

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:02-CR-34-BO

UNITED STATES OF AMERICA

v.

JEVON ANTHONY WARD

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ORDER

This matter is before the Court on defendant's motion for court to request that the United States Attorney exercise its discretion by withdrawing additional 18 U.S.C. § 924(c) of movant's conviction. [DE 51]. The government has responded to defendant's motion, stating that there was no misuse of prosecutorial power in this case and the law does not provide for the relief the defendant has requested. [DE 54].

Though defendant has relied on a case from the Eastern District of New York in which the relief he seeks was provided, *United States v. Holloway*, 95-CR-78 (E.D.N.Y. 2014), this Court is unaware of any legal basis on which it could request that the United States Attorney for this district consider withdrawing one of defendant's 18 U.S.C. § 924(c) convictions. Moreover, the government has responded to defendant's request and has clearly stated that it would not take such action.

For these reasons defendant's motion is DENIED.

SO ORDERED, this 26 day of March, 2015.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE